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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/715,911	11/18/2003	Laszlo Domjan	54729/P004US/10304066	5652
29053	7590	12/01/2004		EXAMINER
DALLAS OFFICE OF FULBRIGHT & JAWORSKI L.L.P. 2200 ROSS AVENUE SUITE 2800 DALLAS, TX 75201-2784			BEN, LOHA	
			ART UNIT	PAPER NUMBER
			2873	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/715,911	DOMJAN ET AL.
	Examiner	Art Unit
	LOHA BEN	2873

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1) Responsive to communication(s) filed on 18 November 2003.  
 2a) This action is **FINAL**.                            2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4) Claim(s) 1-61 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) 11-27,31-34,41-45,47-55 and 59-61 is/are allowed.  
 6) Claim(s) 1-10,28-30,35-40,46 and 56-58 is/are rejected.  
 7) Claim(s) \_\_\_\_\_ is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.



**Loha Ben**  
**Primary Examiner**

**Application Papers**

9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on 18 November 2003 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 0204,0504,0604,0804

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date: \_\_\_\_\_.  
 5) Notice of Informal Patent Application (PTO-152)  
 6) Other: \_\_\_\_\_

## DETAILED ACTION

### Minor informalities noted in the claims

In claim 9: line 1, "are" should be – is --. See claim 6.

In claim 11: line 4, "display" should be – displayed – to be consistent with line 1.

In claim 13: line 3, "display" should be deleted.

In claim 14: line 2, "display" should be – displayed --. See above.

In claim 36: line 1, "device" should be replaced with – system –.

In claim 41: line 1, "device" should be replaced with – system --; and line 6, before "means", -- first – should be inserted.

In claim 42" line 1, after "said", -- first – should be inserted.

In claim 45: line 6, before "each", -- , --(comma) should be inserted.

In claim 49: line 1, after "45", -- wherein – should be inserted.

In claim 50: line 6, before "each", -- , --(comma) should be inserted; and line 7, before "reflector", -- first – should be inserted to provide antecedent basis for line 2 of claim 54.

In claim 55: lines 2 and 6, before "image", "display" should be – displayed – ( see line 1 ); and line 6, before "each", -- , --(comma) should be inserted.

In claim 58: line 2, "or" should be – and – ( see "wavelengths" ).

In claim 59: line 3, before "each", -- , --(comma) should be inserted.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-10, 28-30, 35-40, 46 and 56-58 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claims 1 and 5, the recitation as to "splitting volume" and the relationship between the splitting volume and the focusing is not understood.

Claims 2-4, and 6-10, depending from claims 1 and 5, respectively, inherit the indefiniteness thereof.

In claims 28 and 30: "the means for partially reflecting the image" and "the means for fully reflecting the image" have no antecedent basis.

In claim 29: line 2, "the optical axis" has no antecedent basis.

In claim 35: line 2, "said lens" has no antecedent basis.

In claim 36: line 4, "the focal point" has no antecedent basis.

In claim 46: line 1, "the partially reflective surface", and line 2, "the fully reflective surface" have no antecedent basis.

In claim 56: line 1, "the broad-band projector" has no antecedent basis.

In claim 57: the recitation is inconsistent with respect to the use of the phrases "first filtering means" and "second filtering means" to replace "first filter" and "second filter", respectively.

Claims 37-40, depending from claim 36, inherit the indefiniteness thereof.

Claim 58, depending from claim 57, inherits the indefiniteness thereof.

#### **Allowable Subject Matter**

Claims 11-27, 31-34, 41-45, 47-55 and 59-61 are allowable.

Claims 1, 5 and 36 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claims 2-4, 6-10, 28-30, 35, 37-40, 46 and 56-58 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

### **Communication**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Loha Ben whose telephone number is (571) 272-2323. The examiner can normally be reached on Monday to Saturday, generally between 12:00 noon and 8:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Georgia Y. Epps, can be reached on Monday to Friday, at (571) 272-2328. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/715,911  
Art Unit: \*\*\*

Page 5

November 26, 2004



Loha Ben  
**Primary Examiner**